IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO. 958 OF 2007

IN

WRIT PETITION NO. 1490 of 2007

Niren Dharma Nikam ... Applicant

Vs.

The State of Maharashtra & Ors. ... Respondents

Mr. P.M.Jadhav for the Applicant.

Mr. R.M. Patane, AGP for State - Respondentrs 1 & 2.

CORAM: S.K.SHAH,J.

DATE : 16th April, 2007.

P.C.

1. Heard Counsel on both sides.

2. This is an Application for recalling the order passed on 22nd March 2007 allowing the Writ Petition to be withdrawn with liberty to file appropriate proceedings.

3. The learned Counsel for the applicant now

submits that that permission was sought because he thought that an appeal against the impugned order would be maintainable. However, he examined the position and states that only Writ Petition would be maintainable. He, therefore, seeks restoration of the Writ Petition to file.

4. The learned Counsel for the Respondents has no objection.

5. The Application is allowed and made absolute in terms of prayer clause (a) and the Writ Petition stands restored to file and the same be proceeded in accordance with law.

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(S.K.SHAH,J.)